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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/714,199 | 11/14/2003 | Daniel A. Tazartes | 34261-8400 | 2670 |
| 7590 | 07/12/2004 | | EXAMINER | |
| Albin H. Gess, Esq. SNELL & WILMER L.L.P. Suite 1200 1920 Main Street Irvine, CA 92614-7230 | | | YOUNG, BRIAN K | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2819 | |

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|-----------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/714,199 | TAZARTES ET AL. |
| | Examiner | Art Unit |
| | Brian Young | 2819 |

-- The MAILING DATE of this communication app ars on the cov r sh t with th correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 November 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 11-20 is/are allowed.
 6) Claim(s) 1 is/are rejected.
 7) Claim(s) 2-10 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 14 November 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Townsend.

Townsend discloses a digital control system for a vibrating structure gyroscope having a vibrating structure (3), at least a primary drive (4) for putting and maintaining the vibrating structure (3) in vibratory resonance, and at least a primary pickoff (2) for detecting vibration of the vibrating structure (3), which includes a digital processing unit (22) for receiving output signals from the pickoff (2) for processing the received signals and for passing them to the primary drive (4) via digital to analogue converters (20). The system includes sampling at selected intervals of time the output signals before passage to the digital processing unit (22) and a variable frequency oscillator (23) connected to and under the control of the digital processing unit (22) for controlling the sampling intervals. The oscillator 23 has the ability to have its frequency adjusted by a control word received at 24 from the processing unit 22 which is operable to adjust the frequency of the oscillator 23 to match the resonant frequency of the vibrating structure 3 based upon the output signals received by the unit 22 from the primary pickoff means 2. The control is used to adjust the frequency of the oscillator 23 to a convenient multiple of the frequency of the resonant structure. An algorithm within the processing unit 22 based on the signals present at the primary pickoff means 2 will determine the control word.

3. Claims 11-16 are allowed.

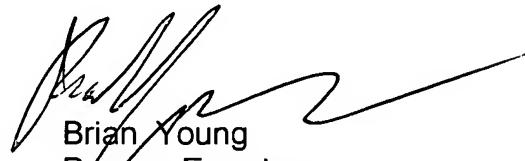
4. Claims 2-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fritze discloses a direct digital dither drive for a laser gyro dither motor including a digital microcomputer which controls the dithering of a laser gyro to prevent lock in of the laser beams. The digital drive senses a dither position and schedules internal A/D conversions using an A/D conversion arbitration scheme. The period frequency and location of the minimum and maximum drive are determined using the microcontroller. Accurate dither drive is accomplished using a digital analog feedback system which compensates for real time changes in dither pickoff and dither drive components.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Young whose telephone number is 571-272-1816. The examiner can normally be reached on Mon-Fri 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Tokar can be reached on 571-272-1812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Brian Young
Primary Examiner
Art Unit 2819

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